



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

JAN 25 2012

Mr. Mike Reeves
Mike Reeves 1 Farm
1201 Sherwood Drive
Ruston, LA 71270

Re: Administrative Order
Docket Number CWA-06-2012-1785
Facility Number LAU000373

Dear Mr. Reeves:

Enclosed is an Administrative Order (AO) issued to Mike Reeves D/B/A Mike Reeves 1 Farm, for violation of the Clean Water Act [33 U.S.C. § 1251 et al]. The violation was identified during a January 24 and 25, 2012 inspection, conducted by the Environmental Protection Agency (EPA), of your chicken broiler facility located approximately four (4) miles east of Arcadia, Louisiana. The violation found includes, but is not limited to, an unauthorized discharge of a pollutant to waters of the United States.

Effective upon receipt of this AO, you shall immediately cease and desist all discharges of pollutants into the unnamed tributary that flows to the Dugdemona River, and comply with all provisions set forth in the enclosed AO. The Environmental Protection Agency is committed to ensuring compliance with the requirements of the Clean Water Act, and my staff will assist you in any way possible.

If you have any questions, please contact Mr. Juan Ibarra of my staff, at (214) 665-8493.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "John Blevins".

John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure(s)

cc: Celena Cage, LDEQ/Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, LA 70821-4312



U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 6
FINDINGS OF VIOLATION AND COMPLIANCE ORDER

In the Matter of Mike Reeves
D/B/A Mike Reeves 1, Respondent
Docket No. CWA-06-2012-1785
Facility Number LAU000373

STATUTORY AUTHORITY

The following findings are made and Order issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 309(a) of the Clean Water Act (Act), 33 U.S.C. § 1319(a). The Administrator has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who further delegated such authority to the Director of the Compliance Assurance and Enforcement Division.

FINDINGS

1. The Respondent, Mike Reeves, is an individual doing business as Mike Reeves 1, and therefore considered a "person", as defined by Section 502(5) of the Act, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.
2. At all times relevant to the violation alleged herein (relevant time period), Respondent operated a broiler facility located approximately four (4) miles east of Arcadia, on the south side of U.S. Highway 80, Lincoln Parish, Louisiana (facility). The facility is a Concentrated Animal Feeding Operation (CAFO), as defined and identified by Section 502(14) of the Act, 33 U.S.C. § 1362(14), and assigned facility number LAU000373.
3. The facility's chicken litter storage piles act as "point sources", as defined by Section 502(14) of the Act, 33 U.S.C. § 1362(14).
4. During the relevant time period, it was unlawful under Section 301(a) of the Act, 33 U.S.C. § 1311(a), for any person to discharge a pollutant from a point source to waters of the United States without a permit issued under Section 402 of the Act, 33 U.S.C. § 1342.

5. On January 24 and 25, 2012, an EPA inspector conducted an on-site investigation of the facility, and observed the following violations:

- a) Section 301 of the Act, 33 U.S.C. § 1311, was violated in that Respondent caused or allowed an unauthorized discharge of pollutants from the chicken litter storage piles to a water of the United States.

The north side of the litter barn had chicken litter stockpiled outside the litter barn. There were signs of past discharges (i.e. soil staining in the flow path and pooled dark liquid). Following rainfall events, more unauthorized discharges will likely result. The discharge flow path leads into a small stream channel located about 35 feet down slope from the litter storage pile, then flows in a southern direction into an unnamed tributary, thence to the Dugdemona River.

ORDER

Based on these findings and pursuant to the authority of Section 309(a) of the Act, 33 U.S.C. § 1319(a), EPA orders that Respondent take the following actions upon receipt of this Order:

- a) immediately cease and desist all discharges of pollutants from the facility's chicken litter storage piles;
- b) within thirty (30) days of the receipt of this Order, Respondent shall submit to EPA and LDEQ a certified summary, including photographs, to document that the discharge has been stopped.

GENERAL PROVISIONS

Issuance of this Order shall not be deemed an election by EPA to waive any administrative, judicial, civil, or criminal action to seek penalties, fines, or other relief under the Act for the violation alleged herein or other violations which may become known to EPA. EPA reserves the right to seek any remedy available under the law which it deems appropriate.

Failure to comply with this Order or the Act may result in the initiation of an administrative penalty action by EPA or a civil judicial penalty action by the U.S. Department of Justice.

Compliance with this Order does not relieve Respondent of its obligation to comply with all applicable federal, state, and local laws.

The effective date of this Order is the date it is received by the Respondent.

JAN 25 2012

Date



John Blevins
Director
Compliance Assurance
and Enforcement Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

Issued to: Mr. Michael Reeves
Farm/facility: D/B/A Mike Reeves 1

CERTIFICATE OF RECEIPT

On this day, I certify receipt of a Class I Administrative Order;
Docket No. CWA-06-2012-1785, Facility No. LAU000373; issued by the U.S. Environmental
Protection Agency, Region 6, for alleged violation(s) of the Clean Water Act.

Original - hand delivered to:

Mike Reeves
D/B/A Mike Reeves 1

Date

Delivered by:

Investigator, EPA Region 6,

Date